

MAY 08 2018

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article Number: 7014 1200 0000 6126 9016

Mr. Brian Calhoun
SSW Holding Company, Inc.
176 West Colon Road
Clearwater, Michigan 49036

RE: Collis, Inc. Facility
2005 South 19th Street
Clinton, Iowa 52732
EPA ID # IAD047303771

RCRA



Dear Mr. Calhoun:

On April 24, 2018, the U.S. Environmental Protection Agency Region 7 issued the Final Decision and Response to Comments describing the remedy selected for the Collis, Inc. facility. The EPA is providing this letter to approve the Corrective Measures Study, submitted on April 25, 2018, and outline the expectations for the implementation of the final remedy at the Collis facility. In an effort to expedite implementation of the remedy, the EPA is offering Collis the opportunity to address the corrective measures implementation without negotiating an Administrative Order. If Collis declines this approach, or if Collis does not adhere to the work and/or time-lines set forth in this letter, the EPA may revoke this process and avail itself of its enforcement authorities.

For Collis to partake in this approach to remedy implementation, it must complete the following tasks within the timeframes specified:

Corrective Measures Study. Within 30 days of receipt of this letter, Collis must implement the approved CMS in accordance with the terms and timeframes specified within the CMS. For activities where no timeframes are specified in the CMS, a proposed schedule for implementation should be submitted to the EPA within 30 days of receipt of this letter. Activities include but are not limited to the Media Management Plan, Appendix G, Corrective Measures Implementation – Long Term Monitoring Groundwater Monitoring Work Plan (Appendix H), the Five-Year Review (Section 6.2 of CMS); the Five-Year Report (Section 7.3); and the Groundwater Monitoring Reports (Section 7.2 and Appendix H).

Financial Assurance Cost Estimate. Within 30 days of the receipt of this letter, Collis must submit a cost estimate of the work to be performed. The EPA may approve, disapprove or require revisions to the cost estimate. If the EPA provides written comments on the cost estimate, the parties may convene to discuss the scope of the comments. Upon agreement by the parties, Collis will resubmit the cost estimate within 10 days of the parties' verbal agreement and on an annual basis thereafter.

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CONCURRENCES						
SYMBOL	RCAP	RCAP SC	CNSL	CNSL	WRAP	AWMD
NAME	Stone	Mitchell	Salisbury	Hoefer	Linger	Smith
INITIALS/DATE	ARS 5/2/18	BGM 5/3/18	DAK 5/3/18	DAK 5/3/18	BGM 5/3/18	gjs 5/8/18

Financial Assurance. Within 30 days of the EPA's written approval of the cost estimate, Collis must establish financial assurance in the amount approved by the EPA. Specifically, the EPA expects Collis to establish and maintain financial assurance in the form of either a surety bond with a standby trust fund, a letter of credit with a standby trust fund, a trust fund funded for the entire amount of the cost-estimate, or any combination of financial assurance mechanisms allowable under 40 CFR Part 265 Subpart H. The EPA may not be listed as a beneficiary of the instrument and therefore, the financial instrument should designate a third-party beneficiary to take over the work in the event of a default by Collis. The EPA will work with Collis to develop appropriate language for the financial assurance instrument with a third-party beneficiary. Once the EPA approves the language for the instrument, Collis must submit a copy of the agreed-upon instrument to the EPA within 60 days of approval. In addition to the initial financial assurance package, Collis must establish a schedule for submitting the annual cost estimate as well as any other reporting requirements under those provisions. The cost estimate for remedy implementation must be adjusted annually for inflation. See 40 CFR § 265.144 for guidance.

Environmental Covenant. Within 30 days of receipt of this letter, Collis must submit to the EPA, environmental covenants, as presented in Appendix F of the CMS, for the Collis Property and the City of Clinton's affected property that have been signed by their respective property owners. Within 10 days of receipt of the environmental covenants with the EPA's signature, Collis must record both with the Clinton County Recorder's Office. Copies of the certified recorded instruments must be sent to the EPA and Iowa Department of Natural Resources within 10 days of recording.

We look forward to working with you cooperatively to implement the selected remedy for the Collis facility. As stated before, if at any time, Collis or any successor fails to meet the agreed upon schedule, the EPA may pursue its enforcement authorities to ensure the selected remedy is implemented in order to protect human health and the environment. Submittals and any questions may be directed to Andrea R. Stone at (913) 551-7662 or by email at stone.andrear@epa.gov.

Sincerely,

Becky Weber
Director
Air and Waste Management Division

cc: Amie Davidson, IDNR
Cindy Lang, BB&E

bcc: Andrea Stone, RCAP (scanned copy of signed/dated letter)
Demetra Salisbury, CNSL (Scanned copy of signed/dated letter)